

Privacy Notice for Private Housing Services

Updated: 06 May 2026

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The reason we use your data

Is because the council's private sector housing service needs to process personal data to perform specific tasks in the public interest that are set out in law, such as:

- provide advice and guidance to landlords and tenants, with the aim of increasing housing supply and the prevention of homelessness
- protection from unlawful eviction
- deliver government or Council priorities such as energy efficiency, returning empty dwellings to occupation, reducing overcrowding
- monitor services to ensure they are delivered in a fair and equitable way
- monitor services to support future service development and delivery
- monitor services to provide statistical data for statutory returns and governance and compliance purposes

Data processing is necessary for compliance with legal obligations primarily (but not exclusively) under the following legislation:

- Housing and Planning Act 2016
- Housing Acts 1985 and 2004
- Housing Health and Safety Rating System Regulations 2005
- Environmental Protection Act 1990
- Public Health Acts (eg 1936 and 1961)
- Homelessness Reduction Act 2017
- Protection from Eviction Act 1977
- Crime and Disorder Act 1998
- Anti Social Behaviour, Crime and Policing Act 2014

HMO Register

Housing Act 2004 section 232 states that every local housing authority (ie the Council) must maintain a register of licences for houses in multiple occupation (HMOs) licensed under Part 2 of that Act and houses and flats licensed in areas designated for Selective Licensing under Part 3. The register must contain prescribed particulars which, by virtue of SIS 2006 No.373 and 2007 No.1903, include the name and address of the licence holder and the property manager. Registers must be made available for inspection, and a copy of the register (or an extract) must be supplied, subject to payment of a fee, on request.

The council will make names and addresses of licence holders and property managers publicly available as part of the HMO Register on request but will not publish them on the website and will only provide copies of the Register on payment of a fee (currently £54).

Rogue Landlords' Database

The Government maintain public registers, administered by them, of landlords and agents convicted or who receive financial penalties for certain housing related offences. The Council will supply names and addresses of landlords and agents, together with details of the offences, to these databases, when it is appropriate to do so. There is a right to make representations for data not to be published on these databases, and the Council will assess representations on a case-to-case basis. Publication decisions will be made on the basis of fairness and public interest and will not be made maliciously.

What Information we collect

The information collected include but not limited to:

- contact details of; applicants, license holders and interested parties.
- property ownership and/or tenancy details;
- relevant business, company details;
- details of those residing at properties;
- information relating to property standards and safety issues, gas safety certificate, tenancy agreement, electrical safety certificates;
- application forms, declarations, individual witness statements and tenancy deposit protection information;
- information relating to enforcement action; and
- the property licensing status.

Purpose

The council's private sector housing service needs to process the personal data to comply with its overall purpose to comply with a legal obligation to:

- assess housing conditions and amenities
- deliver the council's housing licensing services
- keep a register of licensed properties
- deliver statutory duties such as dealing with hazardous housing conditions, statutory nuisances, public health hazards,

The council's private sector housing service processes a special category of personal data, namely character and criminal conviction data for the purposes of assessing whether persons in control of or managing properties are fit and proper persons, in respect of the following:

- Criminal conviction data is obtained from persons by self-declaration, and if necessary from the Disclosure and Barring Service for offences involving fraud/dishonesty/violence/drugs or certain sexual offences.
- Unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins, disability, in, or in connection with, the carrying on of any business.
- Contravention of any Housing/Landlord and Tenant/Planning legislation.

We're processing criminal convictions or offences data to exercise official authority (e.g. public functions and powers set out in law) and because there is a substantial public interest for us to process it. We have made sure the processing is proportionate to the aim pursued and we have the appropriate safeguards in place for the data subject's rights and interests.

Who we can share your data with

We will share personal information with law enforcement or other authorities if required by applicable law such as:

- The Cabinet Office
- Government agencies
- Greater London Assembly
- Specified anti-fraud organisations (SAFOs)
- The Police
- Judicial agencies e.g. Courts
- Department of work and pensions
- HMRC
- Local authorities
- In certain circumstances employers

We will only share information with these organisations where it is appropriate and legal to do so. We may also share information, for example, if there is a risk of serious harm or threat to life.

When computers make any decisions about you

Not applicable

How long we keep your data for

We keep records in line with the Council Retention Schedule. This mean some records may be kept permanently.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to the information that we hold about you. To make a request for your personal information please contact the Council's Data Protection Officer at dataprotection@rother.gov.uk.

You also have the right to:

- object to processing of personal data that is likely to cause, or is causing, damage or distress
- prevent processing for the purpose of direct marketing
- object to decisions being taken by automated means
- in certain circumstances, have personal data rectified, blocked, erased or destroyed
- claim compensation for damages caused by a breach of the data protection regulations

If you have a concern about the way we are collecting or using your personal data, we request that you raise your concern with us